Case 4:06-cv-00324-CW Document 126-22

Filed 09/26/2007

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Doc. 126 Att. 21

# EXHIBIT 35

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Irene Johnson <majortennisbum@gmail.com>

# [freecyclemodsquad] Archery Equipment

10 messages

Charmaine Jensen <charmainejensen@sympatico.ca> To: freecyclemodsquadcanada@yahoogroups.com, freecyclemodsquad@yahoogroups.com Mon, May 30, 2005 at 7:20 PM

Good Evening Mods,

Are any mods in this group familiar with Archery as a sport and with Archery Clubs... if you are, then you are familiar with Archery Bow and Arrows....

Well I personally have no problem with them and in fact I went on to the University of Toronto Archery Club website and it indicates that it is a highly and well known respected sport by many all the way up to the

and in fact I even checked the Canadian Code of Law and no where in there does it indicate that Archery Bow and Arrows are against the law.

On my group this afternoon a member offered up a ARCHERY BOW/ARROW, then around 5:30 pm, I was asked to remove this BOW/ARROW by my GOA, as she viewed it as a WEAPON - tons of members email me privately expressing upset at this ~ as they did not view it as such and neither did I ~ as in fact years ago -I use to go to an Archery Club myself -

Well I chatted with another Mod online this evening whom also expressed to me that they permit such postings of Archery Equipment in their group ~ so do other MODS permit same in my group.

I posted some info of links of Archery in my group and also a link to the Canada Code of Law to prove that Archery BowlArrow is not against the law in Canada and also expressed to my members in an Admin message that I personally have no problems with this being posted according to my research -

What are other MODS feelings?

Charmaine Freecycle Toronto Mod/Owner

Toronto Freecycle Cafe

[Non-text portions of this message have been removed]

------Yahoo! Groups Sponsor ----------------Dying to be thin? Anorexia. Narrated by Julianne Moore http://us.click.yahoo.com/FLQ\_sC/gsnJAA/E2hLAA/rcToIB/TM

Report news articles: Contact your GOA:

newswire@freecycle.org http://freecycle.org/faq\_mod.php

Contact ModSquad Mods: freecyclemodsquad-owner@yahoogroups.com

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#### Yahoo! Groups Links

- <\*> To visit your group on the web, go to:
  <a href="http://groups.yahoo.com/group/freecyclemodsquad/">http://groups.yahoo.com/group/freecyclemodsquad/</a>
- <\*> To unsubscribe from this group, send an email to: freecyclemodsquad-unsubscribe@yahoogroups.com
- <\*> Your use of Yahoo! Groups is subject to: http://docs.yahoo.com/info/terms/

#### Karla <moonfairy41@comcast.net>

To: freecyclemodsquad@yahoogroups.com

Mon, May 30, 2005 at 8:10 PM

Freecycle says no firearms! Archery is not considered a firearm..That would be a gun;o) I too would allow this kind of post.

No offense to your GOA, but they are there to help and not supposed to tell us what we can or cannot do. The list is yours, and as long as you remain within frrecycle guidelines I don't see what the problem is.

I know Canadian laws differ from ours here in the statess when it comes to weapons so of course you have to go by the laws as well. So if it isn't against the law to give away or sell these kinds of item's then I would allow it.

Karla Mod for

Pierce County Washington Freecycle(TM)

[Quoted text hidden]

What would our lives be like without music, dance, and theater? Donate or volunteer in the arts today at Network for Good! <a href="http://us.click.yahoo.com/MCfFmA/SOnJAA/E2hLAA/rcTolB/TM">http://us.click.yahoo.com/MCfFmA/SOnJAA/E2hLAA/rcTolB/TM</a> [Quoted text hidden]

# Nancy Castleman <nancy@freecycle.org> To: freecyclemodsquad@yahoogroups.com

Mon, May 30, 2005 at 8:44 PM

We have discussed this before, Charmaine and y'all. We must err on the side of caution with anything that can so be clearly seen as a weapon. For further information on this, I recommend a search of the database of Deron's responses.

Nancy HudsonValleyFreecycle / ModSquad Co-Mod

— In <u>freecyclemodsquad@yahoogroups.com</u>, "Charmaine Jensen" <charmainejensen@s...> wrote: Are any mods in this group familiar

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with Archery as a sport and with Archery Clubs... if you are, then you are familiar with Archery Bow and Arrows....

Has someone you know been affected by illness or disease? Network for Good is THE place to support health awareness efforts! http://us.click.yahoo.com/OCfFmA/UOnJAA/E2hLAA/rcTolB/TM [Quoted text hidden]

Nancy Daniels <nancy5@sympatico.ca>

Tue, May 31, 2005 at 7:10 AM

To: ModSquad Ontario <ontmodsquad@yahoogroups.com>, ModSquad <freecyclemodsquad@yahoogroups.com>, freecyclemodsquada@yahoogroups.com

A bow and arrow has been designed for no other purpose than to move a projectile to cause damage. Whether it is aimed at a piece of paper, a target, an eye or a person. It has one purpose and that is to cause damage to what ever that target it. It will shred the paper, dig a whole in the target or remove an eye or kill.

A baseball bat can be used as a weapon as well as just about anything. However that is not their original intent and they also have other uses. As for a yoyo versus a bow and arrow. If I kid were walking down the street playing with a yoyo what are the chances of it damaging something. Now take that same kid walking down the street playing with a bow and arrow. Oops broken window....hit the neighbors cat....oh that car alarm went off. Do you think he would be pulled over by the police?!?!?

I see absolutely nothing wrong with erring on the side of caution and offering this item to an archery club where at least those that are knowledgeable about the weapon can learn to use it.

Nancy Daniels www.freecycle.org

[Non-text portions of this message have been removed]

In low income neighborhoods, 84% do not own computers. At Network for Good, help bridge the Digital Divide! http://us.click.yahoo.com/HO7EnA/3MnJAA/E2hLAA/rcTolB/TM [Quoted text hidden]

Barry Wand <b i>
 bjwand@earthlink.net>

Tue, May 31, 2005 at 7:30 AM

To: freecycle modsquad <freecyclemodsquad@yahoogroups.com>

Nancy

Funny you should mention a Yo-Yo. That item was invented in the Philippines and was originally designed to be a weapon.

Barry

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### LCPFreecycle moderator

Nancy Daniels wrote:

>

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- > Nancy Daniels
- > www.freecycle.org

Dying to be thin?

Anorexia. Narrated by Julianne Moore .

http://us.click.yahoo.com/FLQ\_sC/gsnJAA/E2hLAA/rcTolB/TM
[Quoted lext hidden]

## Barry Wand <bjwand@earthlink.net>

Tue, May 31, 2005 at 7:30 AM

To: freecycle modsquad <freecyclemodsquad@yahoogroups.com>

Nancy

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LCPFreecycle moderator

Nancy Daniels wrote:

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- > Nancy Daniels
- > www.freecycle.org
- >
- > [Non-text portions of this message have been removed]

>
>
> Report news articles: <a href="mailto:newswire@freecycle.org">newswire@freecycle.org</a>
> Contact your GOA: http://freecycle.org/faq_mod.php
> Contact ModSquad Mods: freecyclemodsquad-owner@yahoogroups.com
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Donate or volunteer in the arts today at Network for Good!
http://us.click.yahoo.com/MCfFmA/SOnJAA/E2hLAA/rcToIB/TM
[Quoted text hidden]

DMichael Burns <dmichaelburns@cox.net>

Reply-To: dmichaelburns@cox.net

To: freecyclemodsquad@yahoogroups.com

Tue, May 31, 2005 at 7:47 AM

I can use that same arguement with other things too. Baseball bat, golf club, tennis racket, etc. are all designed solely for the purpose of delivery of a projectile from point A to point B.

This was all discussed back on March 21-24 of this year. It was also discussed September 16-17 last year.

Personally, If the GOA has researched the rules and regs of this group and the laws for his/her state/province/locality and has determined that it is against the rules, then you have to abide by it (even if you disagree with it). To bring it to this forum because you are upset with the decision by the GOA is the same as a member of your group bringing it to the board when you have made a "moderator's decision."

As an avid archer that has more 1st place trophys than I care to count (and my earliest trophy is from when I was 8 years old), I have disagreements with a lot of the things that I see on here in RE: archery. So, before I lose control of myself and fall off of my soapbox, I will just say that that is my 2 cents.

Michael Moderator - MesaAZ-Freecycle

#### Nancy Daniels wrote:

> A bow and arrow has been designed for no other purpose than to move a > projectile to cause damage. Whether it is aimed at a piece of paper, > a target, an eye or a person. It has one purpose and that is to cause > damage to what ever that target it. It will shred the paper, dig a > whole in the target or remove an eye or kill. > A baseball bat can be used as a weapon as well as just about > anything. However that is not their original intent and they also > have other uses. As for a yoyo versus a bow and arrow. If I kid were > walking down the street playing with a yoyo what are the chances of it > damaging something. Now take that same kid walking down the street > playing with a bow and arrow. Oops broken window.....hit the > neighbors cat.....oh that car alarm went off. Do you think he would > be pulled over by the police?!?!? > I see absolutely nothing wrong with erring on the side of caution and > offering this item to an archery club where at least those that are > knowledgeable about the weapon can learn to use it. > Nancy Daniels > www.freecycle.org

----- Yahoo! Groups Sponsor -----> Ever feel sad or cry for no reason at all? Depression. Narrated by Kate Hudson. http://us.click.yahoo.com/LLQ\_sC/esnJAA/E2hLAA/rcTolB/TM [Quoted text hidden]

#### kuhlwif <kuhlwolf@centurytel.net>

Tue, May 31, 2005 at 8:22 AM

To: Charmaine Jensen <charmainejensen@sympatico.ca>, freecyclemodsquadcanada@yahoogroups.com, freecyclemodsquad@yahoogroups.com

Archery was always one of the more popular sports and activities at summer camp when I was a child. My son enjoys archery now.

Archery equipment is not expressly forbidden by the rules so should be decided locally.

Seems to me the GOA has over-stepped a bit.

Cheryl MT

At 08:20 PM 5/30/2005, Charmaine Jensen wrote: >Good Evening Mods, >Are any mods in this group familiar with Archery as a sport and with

Page 7 of 9

>Archery Clubs... if you are, then you are familiar with Archery Bow and >Arrows....
><snip>
>What are other MODS feelings?
> Charmaine

[Quoted text hidden]

## Amy <huhbaby2@yahoo.com>

To: freecyclemodsquad@yahoogroups.com

Tue, May 31, 2005 at 8:53 AM

What bothers me here is the fact that the GOA is policing Charmaine's board - I thought they were there to help, if we needed it, not be our "boss". IMHO, this GOA overstepped her bounds.

This is something that is very easy to mistake as a weapon, but can also be used for recreational purposes (thanks to the others who also mentioned baseball bats, etc - GREAT examples)

Just as we have no control over members selling items they recieve, we also have no control over how members use the items they recieve - All the more reason to make sure we have the disclaimer at the bottom of EVERY message!

Just an FYI - My 7 & 9 year old shoot with their great uncle on a regular basis - he bought them jr sized sets. HE is an avid deer hunter, but all the kids are shooting at is a target - for now. In my area, though, there are JR hunts, where the entry age is 6 or something like that - so IMHO, if the law allows it, so should we.

- --- In freecyclemodsquad@yahoogroups.com, "Charmaine Jensen" <charmainejensen@s...> wrote:
- > Good Evening Mods,
- > Are any mods in this group familiar with Archery as a sport and with Archery Clubs... if you are, then you are familiar with Archery Bow and Arrows....
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Case 4:06-cv-00324-CW

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- > What are other MODS feelings?
- > Charmaine
- > Freecycle Toronto Mod/Owner
- > Toronto Freecycle Cafe
- > [Non-text portions of this message have been removed]

[Quoted text hidden]

freecyclederon <deron@freecycle.org> To: freecyclemodsquad@yahoogroups.com

Tue, May 31, 2005 at 9:12 AM

#### Charmaine,

Thanks for asking. As you can probably guess, we will have to quickly nip this conversation in the bud. As you know, eveyone will have a different opinion as to what are nice sports vs. weapons vs. evil vs. good, etc. So, everyone, please all resist the urge to post on this as we'll just delete further posts.

It doesn't matter what you think of archery or of guns or of Boy Scout knives or pointy-tipped scissors. We are a tiny little nonprofit which simply can't afford the liabilty risk in any of these cases. Round tipped scissors? Maybe...

Help us keep local groups "free, legal & appropriate for all ages." This goes well beyond "legal" and gives the local moderator the mandate to not allow posts of items which may be legal, but not appropriate for a two-year old, or for some teens for that matter,

The Freecycle Network has absolutely no stance on hunting, weapons, porn or pointy-tipped scissors. Just shouldn't risk it on The Freecycle Network.

Thanks for asking... Deron

- --- In freecyclemodsquad@yahoogroups.com, "Charmaine Jensen" <charmainejensen@s...> wrote:
- > Good Evening Mods.
- > Are any mods in this group familiar with Archery as a sport and

Confidential

FN 077364

Gmail - [freecyclemodsquad] Archery Equipment

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